

AO 91 (Rev. 08/09) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the  
Western District of TexasUnited States of America  
v.  
Steven Andrew HOLGUIN

Case No.

*Defendant(s)*

2019 SEP 11 AM 11:00

WESTERN DISTRICT OF TEXAS

BY SE

3:19-MJ-8342-RFC

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 10, 2019 in the county of Hudspeth in the  
Western District of Texas, the defendant(s) violated:*Code Section*

Title 8 U.S.C § 1324 (a)(1)(A)(ii) a

*Offense Description*



knowing and in reckless disregard of the fact that an alien has come to, entered, and remained in the United States in violation of law, did transport, move, and attempt to transport and move such alien within the United States in furtherance of said violation of law.

This criminal complaint is based on these facts:

I further state that I am a Homeland Security Investigations Special Agent and this complaint is based on the facts stated within the attached affidavit:

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 09/11/2019City and state: El Paso, Texas  
*Complainant's signature*Gustavo Barraza, HSI Special Agent*Printed name and title*  
*Judge's signature*Robert F. Castaneda, U.S. Magistrate Judge  
*Printed name and title*

## **AFFIDAVIT**

On September 10, 2019, at approximately 3 p.m., Steven Andrew HOLGUIN approached the Sierra Blanca Border Patrol Checkpoint as the driver of a 2008 Ford Expedition with Texas registration. The vehicle was occupied with 5 passengers.

Border Patrol Agent (BPA) Ortiz questioned HOLGUIN as to his citizenship; HOLGUIN replied that he was a U.S. citizen. BPA Ortiz noticed the 5 passengers avoided eye contact and looked straight forward. BPA Ortiz also noticed HOLGUIN kept looking around and mumbling as he spoke. BPA Ortiz questioned the front passenger as to his citizenship, but the front passenger did not respond and avoided eye contact. BPA Ortiz questioned one of the rear passengers whom also did not reply and avoided eye contact. The vehicle was referred to secondary for further inspection.

Once in secondary, all 5 passengers were determined to be citizens of Cuba illegally present in the U.S. All occupants were taken into custody.

WI-01 was advised of his Miranda Rights in the Spanish language and subsequently waived his rights and elected to make a statement.

WI-01 is 1 of 5 undocumented aliens (UDAs) apprehended in this event. WI-01 stated that on or about September 5, 2019, he and the other UDAs illegally crossed the international border. Upon crossing, they contacted HOLGUIN by calling a phone number provided to them by an alien smuggler in Juarez. Shortly after, HOLGUIN picked them up and dropped them off at hotel in El Paso, TX. WI-01 stated that when HOLGUIN picked them up, he asked them if they had just crossed the border and they all replied in the affirmative.

An immigration database check revealed that WI-01 did not possess a valid immigration visa, re-entry permit, border crossing card, or any other valid entry document required by the Immigration and Nationality Act to remain in the United States.

Homeland Security Investigations (HSI) Special Agent Gustavo Barraza advised HOLGUIN of his Miranda Rights in the English language as witnessed by BPA Harices. HOLGUIN waived his rights and elected to make a statement without the presence of an attorney. The interview was audio and video recorded.

HOLGUIN admitted to knowingly transporting undocumented aliens from El Paso to Austin, Texas in exchange for \$1,500.

This affidavit is being submitted for the limited purpose of establishing probable cause and does not set forth all my knowledge about this matter.